

SETTLEMENT AGREEMENT

This Agreement is made between Oregon State University of Corvallis, Oregon (OPE ID #00321000) (OSU) and the United States Department of Education (Department), Federal Student Aid (FSA), acting through its Director, Administrative Actions and Appeals Service Group, and is effective when the last party executes this Agreement.

A. On September 27, 2013, the Department sent OSU a letter stating that the Department intended to fine OSU \$280,000 (hereafter "the proposed fine action") based on FSA's findings that OSU had failed to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) included in § 485(f) of the Higher Education Act of 1965, as amended and the Department's regulations.

B. The proposed fine action was based on a Final Program Review Determination (FPRD) issued by FSA on July 16, 2010. In the FPRD, FSA concluded that OSU failed to report accurate crime statistics in its Annual Security Report (ASR) for calendar year 2008 and in statistical data submitted to the Department's Campus Crime and Security Website in violation of the Clery Act and the Department's regulations.

C. On October 16, 2013, OSU appealed the proposed fine action and requested a hearing. The appeal was assigned to the Department's Office of Hearings and Appeals and docketed as In the Matter of Oregon State University, Docket No. 13-64-SF.

E. OSU and the Department have now agreed to resolve the proposed fine action without any further administrative procedures.

F. Nothing in this Agreement constitutes an admission of liability or wrongdoing by OSU.

In consideration of the mutual covenants and conditions contained in this Agreement, and intending to be legally bound, the parties agree as follows:

1. OSU agrees to pay a total of \$220,500 to the Department to resolve the proposed fine action.
2. OSU will make the payment of \$220,500 within 30 calendar days of the date it provides the Department with a signed copy of this Agreement. Payment will be made in accordance with instructions provided by the Department.
3. OSU withdraws its appeal of the proposed fine action. The Department and OSU agree that the administrative fine action is fully resolved.
4. Upon both full execution of this Agreement and FSA's receipt of OSU's payment of the fine amount as reflected in paragraphs 1 and 2, FSA will file a motion to dismiss the pending action.

5. The Department agrees not to initiate further administrative action against OSU based on the FPRD dated July 16, 2010.

6. OSU acknowledges that it will continue to take steps to comply with the Clery Act and ensure that all future Clery Act reports are accurate and complete.

7. This Agreement does not waive, compromise, restrict, or settle:

- a. Any past, present, or future violation of the criminal or civil fraud laws of the United States.
- b. Any presently pending or future action taken by the United States under the criminal laws or civil fraud laws of the United States.

The Department is not aware of any such actions pending against OSU based on the Clery Act issues addressed in this Agreement.

8. This Agreement does not address or resolve any complaints filed with or any investigations undertaken by the Department's Office of Civil Rights under any applicable law or regulation.

OSU and the Department each warrant that the undersigned representative is authorized to sign this Agreement on its behalf.

FOR OREGON STATE UNIVERSITY



Glenn Ford
Vice President for Finance and Administration

Dated: 2/13/2014

FOR THE UNITED STATES DEPARTMENT OF EDUCATION



Mary E. Gust
Director
Administrative Actions and Appeals Service Group
Federal Student Aid
U.S. Department of Education

Dated: 2/19/2014